

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MEDFORD DIVISION

CARL FERNLUND, et al.,

No. 1:13-cv-1495-CL

Plaintiffs,

v.

TRANSCANADA USA SERVICES INC.  
d.b.a. TRANSCANADA, et al.,

**ORDER**

Defendants.

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**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court makes a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach. Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, Plaintiffs object to the Report and Recommendation, so I have reviewed this matter de novo. I agree with Magistrate Judge Clarke that Defendants' motions for summary judgment should be granted.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#106) is adopted. Defendants' motions for summary judgment (##64, 77, 91) are granted. Plaintiffs' request for judicial notice (#79) is denied.

IT IS SO ORDERED.

DATED this 10 day of November, 2014.



OWEN M. PANNER  
U.S. DISTRICT JUDGE